

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

RIVERKEEPER, INC.,

v. Plaintiff,

1:20-CV-01025
(GTS/CFH)

COEYMAN'S RECYCLING CENTER LLC,
COEYMAN'S RECYCLING CENTER II, LLC,
CARVER LARAWAY,

Defendants.

APPEARANCES:

Super Law Group, LLC
222 Broadway, 22nd Floor
New York, New York 10038
Attorneys for plaintiff

Young, Sommer Law Firm
Executive Woods
5 Palisades Drive
Albany, New York 12205
Attorneys for defendants

OF COUNSEL:

EDAN ROTENBERG, ESQ.
JULIA KATHRYN MUENCH, ESQ.

JOSEPH F. CASTIGLIONE, ESQ.

DECISION & ORDER

Plaintiff Riverkeeper, Inc. filed a motion to compel defendants to allow wet site visits and for the imposition of sanctions. See Dkt. No. 116. Defendants filed a response in opposition to that motion. See Dkt. No. 124. Plaintiff filed a reply. See Dkt. No. 129.

On April 20, 2024, the Court conducted an in person, on-the-record conference with counsel for all parties. See Text Min. Entry dated Apr. 30, 2024. As directed

during that conference and for the reasons stated at that time, which are incorporated herein by reference, it is hereby

ORDERED that:

(1) Plaintiff's request for an order compelling defendants to allow plaintiff to conduct wet weather (Dkt. No. 116) visits is **GRANTED** to the extent that plaintiff may conduct two (2) wet weather visits of eight (8) hours in length each. Plaintiff shall provide defendants with seventy-two hours advance notice before any wet site visit is to be conducted. If plaintiff wishes to cancel a scheduled wet weather visit, plaintiff is to provide twelve-hours advance notice of such cancellation to defendants by e-mail;

(2) In order to effectuate the scheduling of such visits, counsel shall exchange their schedules every two weeks until all visits have occurred;

(3) Plaintiff's motion seeking the imposition of sanctions (Dkt. No. 116) is

DENIED.

IT IS SO ORDERED.

Dated: May 2, 2024
Albany, New York


Christian F. Hummel
U.S. Magistrate Judge